CHAPTER 62-660
INDUSTRIAL WASTEWATER FACILITIES

62-660.200 Intent and Definitions.

(1) Intent.

(a) It is the policy of the Department to encourage an applicant, prior to submittal of a permit application, to study and evaluate wastewater treatment alternative techniques and to discuss alternatives with the Department.

1. The Department encourages inclusion of relevant public health, economic, scientific, energy, engineering and environmental considerations in such evaluations. Each prospective wastewater facility shall be assessed on an individual basis.

2. The Department encourages environmentally acceptable alternatives which provide the most economic and energy efficient methods of complying with the requirements of this rule, and promote the beneficial re-use of treated effluents and residuals.

(b) The Commission, recognizing the complexity of water quality management and the necessity to temper regulatory actions with the realities of technological progress and social and economic well-being, nevertheless intends to prohibit any discharge of pollution that constitutes a hazard to human health.

(2) Definitions. Terms used in this chapter shall have the meaning specified below.

(a) "Conventional Pollutants" means five day biochemical oxygen demand (BOD5), total suspended solids (TSS), pH, oil and grease, and fecal coliforms.

(b) "Effluent," unless specifically stated otherwise, means treated wastewater flowing out of the treatment plant.

(c) "Effluent limitation" means any restriction established by the Department on quantities, rates, or concentrations of chemical, physical, biological, or other constituents which are discharged from sources into the environment of the state.

(d) "Ground water" means water below the land surface in the zone of saturation where water is at or above atmospheric pressure.

(e) "Industrial wastewater" means wastewater not otherwise defined as domestic wastewater, including the runoff and leachate from areas that receive pollutants associated with industrial or commercial storage, handling or processing.

(f) "Local program" means any county, municipality, or combination thereof that has established and administers a pollution control program approved by the Department in compliance with Section 403.182, F.S., as amended.

(g) "Modification" means any alteration, expansion, upgrade, extension, addition, or replacement of an existing wastewater facility for which a construction permit is required from the Department.

(h) "Percolation" means the generally vertical movement of water through soil or other unconsolidated medium to the water table and to lower aquifers where occurring.

(i) "Permittee" means the person or entity to which a permit for a wastewater facility is issued by the Department. The term "permittee" shall be functionally synonymous with the terms "owner" and "licensee", but shall not include licensed individuals (e.g., operators) unless they are the person(s) to whom a facility permit is issued by the Department. The term shall extend to a permit "applicant" for the purposes of this chapter. To the extent that this chapter imposes duties with respect to the construction, operation, maintenance or monitoring of a facility and for reporting to or securing permits from the Department, ultimate responsibility lies with the owner of the facility. Nevertheless, Chapter 403, F.S., creates joint and several liability for those responsible for violations.

(j) "Surface water" means water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.

(k) "Technology-based effluent limitation (TBEL)" means a minimum waste treatment requirement, established by the Department, based on treatment technology. The minimum treatment requirements may be set at levels more stringent than that which is necessary to meet water quality standards of the receiving water body as set out specifically in other sections of this rule.

(l) "Treatment" means the use of any device, system, process or method for preventing, abating, reducing, treating, separating, recycling, reclaiming, reusing, recovering, or eliminating pollutants in industrial waste.

(m) "Wastewater" means the combination of liquid and water-carried pollutants from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface runoff or leachate that may be present.

(n) "Wastewater facilities" means any or all of the following: the collection/transmission system, the treatment plant, and the disposal system.

(o) "Waters" shall be as defined in Section 403.031(3), F.S.

(p) "Water quality-based effluent limitation (WQBEL)" means an effluent limitation, which may be more stringent than a technology-based effluent limitation, that has been determined necessary by the Department to ensure that water quality standards in a receiving body of water will not be violated.

(q) "Water quality standards" means standards comprised of designated most beneficial uses (classification of waters), the numerical and narrative criteria applied to the specific water use or classification, the Florida anti-degradation policy, and the moderating provisions contained in Chapters 62-3 and 62-4 of the F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History–New 11-27-89, Amended 4-2-90, 4-22-93, Formerly 17-660.200, Amended 12-11-96.

62-660.300 Exemptions.

(1) Exemptions to Provide for the Experimental Use of Wetlands for Low-Energy Water and Wastewater Recycling.

(a) To encourage experiments which are designed to lead to the development of new information regarding low-energy approaches to the advanced treatment of domestic, agricultural, and industrial wastes and to encourage the conservation of wetlands and fresh waters, the Secretary shall, upon petition of an affected person, and after public notice in the Florida Administrative Register and in a newspaper of general circulation in the area of the waters affected, and after opportunity for public hearing pursuant to Chapter 120, F.S., issue an Order, for a period not to exceed five (5) years, specifically exempting certain sources of pollution which discharge into restricted areas of wetlands, as approved by the Secretary, from the water quality criteria contained in Rule 62-302.560, F.A.C., provided that:

1. The discharger affirmatively demonstrates that the wetlands ecosystem may reasonably be expected to assimilate the waste discharge without significant adverse impact on the biological community within the receiving waters,

2. Granting the exemption is in the public interest and will not adversely affect public health or the cost of public health or other related programs,

3. The public is restricted from access to the waters under consideration,

4. The waters are not used for recreation,

5. The applicant affirmatively demonstrates that presently specified criteria are unnecessary for the protection of potable water supplies or human health,

6. The exemption will not interfere with the designated use of contiguous waters; and,

7. Scientifically valid experimental controls are provided by the applicant and approved by the Department to monitor the long-term ecological effects and waste recycling efficiency.

(b) The Petitioner shall affirmatively demonstrate those standards which the Petitioner believes more appropriately apply to the waters for which the exemption is sought.

(c) The Secretary shall specify, by Order, only those criteria which the Secretary determines to have been demonstrated by the preponderance of competent substantial evidence to be more appropriate.

(d) The Department shall modify the Petitioner's permit consistent with the Secretary's Order.

(2) Exemption Providing Alternative Criteria for Existing Permitted Discharges Comprising the Principal Flow.

(a) The Secretary shall, upon the petition of one or more existing wastewater discharge sources for which a Department permit has been issued prior to the effective date of this rule, after public notice in the Florida Administrative Register and in a newspaper of general circulation in the area of the waters affected, and after opportunity for public hearing pursuant to Chapter 120, F.S., issue an Order for the duration of the petitioner's permit exempting waters of the state which are not used for potable water supplies, or

recreation, and contain no significant population of fish and wildlife, from one or more Class III or Class IV criteria specified in the petition and substituting appropriate alternative criteria where the discharge of the Petitioner(s) comprised a majority of the flow, excluding runoff from storm drains and other wastewater discharges, during a substantial portion of the year preceding the effective date of this rule. Provided, however, that such Order shall be issued only after an affirmative demonstration by the Petitioner(s) of the following:

1. The waters for which exemption in sought are:

a. Wholly artificial and not a modified or channelized natural stream, or

b. Intermittent watercourses which, in the absence of runoff from storm drains and wastewater discharges, acts as tributaries only following the occurrence of rainfall and which normally do not contain contiguous areas of standing water, or

c. Are channelized or modified natural watercourses which were historically intermittent as described in sub-subparagraph b., above,

2. The waters are not used for potable water supplies, or recreation, and do not contain a significant population of fish or wildlife,

3. Reasonable assurance has been provided that the alternative criteria will adequately protect the designated uses of adjacent downstream waters,

4. The alternative criteria are not less stringent than the minimum standards prescribed for all waters at all times in Chapter 62-3, F.A.C.,

5. The alternative criteria are in the public interest and there is no reasonable relationship between the economic, social, and environmental costs of compliance with existing criteria and the economic, social and environmental benefits of compliance,

6. Compliance with the alternative criteria will adequately protect present and future potable water supplies and human health,

7. Compliance with the alternative criteria will adequately protect the population of animals, plants, or aquatic life then utilizing the waters,

8. The waters are not lakes or ponds; and,

9. Achievement of Class III standards would provide no reasonable expectation of future recreational use of the waters.

(b) The Secretary shall specify by Order the alternative criteria, if any, which the Secretary determines to have been demonstrated by the preponderance of the competent substantial evidence to be more appropriate than the Class III or Class IV criteria specified in the petition.

(c) The Department shall modify the Petitioner's permit consistent with the Secretary's Order.

(3) Exemption for Existing Effluent Ditches.

(a) The Secretary or a Deputy Assistant Secretary shall, upon the petition of a wastewater discharger for whom a Department permit has been issued prior to the effective date of this rule, and after public notice and opportunity for public hearing, issue an Order for the duration of the petitioner's permit exempting waters of the state in an effluent ditch from all water quality criteria except those specified in Rule 62-3.051, F.A.C. In order to qualify for this exemption, the petitioner shall affirmatively demonstrate that:

1. The ditch is a wholly artificial man-made conveyance that was constructed as a part of the wastewater treatment process,

2. The ditch contains flowing water only when there is a discharge or immediately after rainfall,

3. The petitioner has legal control of the ditch and abutting land sufficient to restrict public access,

4. Migration of indigenous aquatic organisms into the ditch will be prevented; and,

5. The ditch is not used for recreation and contains no significant population of fish or wildlife. "Significant population of fish or wildlife" shall mean the presence of commercially or recreationally important species or significant quantities of organisms which provide food for such species.

(b) The Department shall modify the Petitioner's permit, consistent with the Secretary's or Deputy Assistant Secretary's Order.

Rulemaking Authority 403.051, 403.061, 403.087, 403.088 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History–New 11-27-89, Amended 4-22-93, Formerly 17-660.300.

62-660.400 Effluent Limitations.

The following effluent limitations apply to plants and installations which discharge industrial wastes into waters of the state.

(1) Effluent Limitations Based on the Availability of Technology.

(a) Section 301 of Public Law 92-500, the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), as amended,

requires all existing point source discharges of pollutants to meet uniform technology-based effluent limitations as a minimum. Two levels of effluent limitations are established.

1. The first level is defined as "best practical control technology currently available" (BPT). FWPCA Section 301(b)(1)(A), 33 U.S.C.A. Section 1311(b)(1)(A). By no later than July 1, 1977, dischargers were required to apply BPT as defined by specific effluent limitations issued by the Administrator of the United States Environmental Protection Agency (EPA) pursuant to Section 304(b)(1).

2. The second level is defined as either "best available technology economically achievable" (BAT) or "best conventional pollutant control technology" (BCT). FWPCA Section 301(b)(2)(A) and 301(b)(2)(E) respectively. By March 31, 1989, dischargers of toxic pollutants as defined in Section 307 of FWPCA were required to apply BAT, as defined by effluent limitations issued by the Administrator pursuant to FWPCA Section 304(b)(2). Also by March 31, 1989, dischargers of conventional pollutants as defined in FWPCA Section 303(a)(4) were required to apply BCT as defined by effluent limitations issued by the Administrator pursuant to FWPCA Section 304(b)(4).

3. BCT is not an additional effluent limitation for industrial dischargers, but rather it replaces BAT for the control of conventional pollutants. BAT will remain in force for all non-conventional and toxic pollutants. Effluent limitations representing BCT may not be more stringent than BAT. In no case will BCT limitations be less stringent than BPT.

4. FWPCA Section 306 requires the Administrator to establish effluent limitations containing performance standards for new sources. For this purpose, "new sources" are defined as any source the construction of which commenced after the publication of proposed regulations prescribing standards for these sources. FWPCA Section 306(a)(2), 33 U.S.C.A. Section 1316(a)(2). After the effective date of new sources performance standards, it is a violation of the Federal Water Pollution Control Act to operate any new source in violation of such standards. FWPCA Section 306(e).

5. FWPCA Section 307(a) requires and authorizes the Administrator to establish and promulgate effluent limitations for toxic pollutants, which may include a prohibition of the discharge of such pollutants or combination of such pollutants. After the effective date of such effluent standards, it is a violation of the FWPCA to operate any source in violation of such standard or prohibition.

6. FWPCA Section 307(b) requires and authorizes the Administrator to establish and promulgate pretreatment standards for introduction of pollutants into publicly owned sewage treatment facilities which are not susceptible to treatment by such facilities or which would interfere with the operation of such treatment works.

(b) The objective of the FWPCA is to restore and maintain the chemical, physical and biological integrity of the nation's waters, and the Act established, as a national goal, that the discharge of pollutants into the navigable waters be eliminated by 1985, Section 101(a), FWPCA.

(c) The FWPCA preserves to each state the power to adopt or enforce any effluent standard or limitation respecting discharge of pollution or control or abatement of pollution which is stricter or more stringent than the comparable federal effluent limitation or standard, Section 510, FWPCA.

(d) Pursuant to the above sections of the FWPCA, the EPA has promulgated and prescribed effluent guidelines and standards (limitations) for new and existing point sources which discharge pollutants. Dischargers are required to comply with these regulations and NPDES permits issued pursuant to Section 402 of the Act must be conditioned upon requirements of Sections 301 and 306 (as well as certain other requirements).

(e) The Department has reviewed and evaluated the EPA effluent guidelines and standards which have been published as final regulations in the United States Code of Federal Regulations, and are in full force and effect on the date of adoption of this section. With respect to each particular class or category of sources as hereinafter listed, the following EPA Effluent Guidelines and Standards, as they are contained in the United States Code of Federal Regulations and are in effect on the date indicated, are incorporated herein, and adopted by the Department, except where expressly supplemented or modified by the Environmental Regulation Commission, and are incorporated by reference as though fully set forth herein:

EFFLUENT LIMITATIONS; GUIDELINES AND STANDARDS	U.S. CODE OF FEDERAL REGULATIONS
1. Environmental Protection Agency General Provisions for Effluent Guidelines and Standards	40 C.F.R. 401 (Effective 9-24-93)
2. Dairy Products	40 C.F.R. 405 (Effective 6-29-95)
3. Canned and Preserved Fruits and Vegetables	40 C.F.R. 407 (Effective 6-29-95)
Citrus Products Subcategory	40 C.F.R. 407 Subpart C (Effective 6-29-95)

4. Canned and Preserved Seafood	40 C.F.R. 408 (Effective 6-29-95)
5. Sugar Processing	40 C.F.R. 409 (Effective 6-25-95)
6. Textiles	40 C.F.R. 410 (Effective 9-1-83)
7. Cement Manufacturing	40 C.F.R. 411 (Effective 6-29-95)
8. Feedlots (See Rule 62-670, F.A.C.)	40 C.F.R. 412 (Effective 4-14-03)
9. Electroplating	40 C.F.R. 413 (Effective 11-7-86)
10. Organic Chemicals, Plastics and Synthetic Fibers	40 C.F.R. 414 (Effective 8-23-93)
11. Inorganic Chemicals	40 C.F.R. 415 (Effective 9-25-84)
12. Soaps and Detergents	40 C.F.R. 417 (Effective 6-29-95)
13. Fertilizer Manufacturing	40 C.F.R. 418 (Effective 3-14-96)
14. Petroleum Refining	40 C.F.R. 419 (Effective 8-12-85)
15. Iron and Steel Manufacturing	40 C.F.R. 420 (Effective 11-18-02)
16. NonFerrous Metals	40 C.F.R. 421 (Effective 5-14-96)
17. Phosphate Manufacturing	40 C.F.R. 422 (Effective 8-22-86)
18. Steam Electric Power Generating (See paragraph 62-660.400(1)(q), F.A.C.)	40 C.F.R. 423 (Revised 7-1-16, [HYPERLINK "http://www.flrules.org/Gateway/reference.asp?No=Ref-07928"])
19. Ferroalloy Manufacturing	40 C.F.R. 424 (Effective 6-29-95)
20. Leather Tanning and Finishing	40 C.F.R. 425 (Effective 10-7-96)
21. Glass Manufacturing	40 C.F.R. 426 (Effective 6-29-95)
22. Asbestos Manufacturing	40 C.F.R. 427 (Effective 6-29-95)
23. Rubber Processing	40 C.F.R. 428 (Effective 6-29-95)
24. Timber Products	40 C.F.R. 429 (Effective 2-17-82)
25. Pulp, Paper and Paperboard	40 C.F.R. 430 (Effective 10-21-02)
26. Meat Products	40 C.F.R. 432 (Effective 6-29-95)
27. Metal Finishing	40 C.F.R. 433 (Effective 11-7-86)
28. Coal Mining	40 C.F.R. 434 (Effective 2-22-02)
29. Offshore Oil and Gas Extraction	40 C.F.R. 435 (Effective 6-20-01)
30. Mineral Mining and Processing (See Rule 62-671, F.A.C.)	40 C.F.R. 436 (Effective 6-29-95)
31. Centralized Waste Treatment	40 C.F.R. 437 (Effective 1-22-01)
32. Metal Products and Machinery Point Source Category	40 C.F.R. 438 (Effective 6-12-03)
33. Pharmaceutical Manufacturing	40 C.F.R. 439 (Effective 6-11-03)
34. Ore Mining and Dressing	40 C.F.R. 440 (Effective 1-3-89)
35. Transportation Equipment Cleaning	40 C.F.R. 442 (Effective 9-13-00)
36. Paving and Roofing Materials	40 C.F.R. 443 (Effective 6-29-95)
37. Hazardous Waste Combustors	40 C.F.R. 444 (Effective 11-22-00)
38. Landfills Point Source Category	40 C.F.R. 445 (Effective 2-18-00)
39. Paint Formulating	40 C.F.R. 446 (Effective 6-29-95)
40. Ink Formulating	40 C.F.R. 447 (Effective 6-29-95)
41. Gum and Wood Chemicals Manufacturing	40 C.F.R. 454 (Effective 6-29-95)
42. Pesticide Chemicals Manufacturing	40 C.F.R. 455 (Effective 10-20-98)
43. Explosives Manufacturing	40 C.F.R. 457 (Effective 6-29-95)
44. Carbon Black Manufacturing	40 C.F.R. 458 (Effective 6-29-95)
45. Photographic Processing	40 C.F.R. 459 (Effective 7-14-76)
46. Hospitals	40 C.F.R. 460 (Effective 6-29-95)
47. Battery Manufacturing Point Source Category	40 C.F.R. 461 (Effective 10-14-86)

48. Plastics Molding and Forming	40 C.F.R. 463 (Effective 4-30-85)
49. Metal Molding and Casting	40 C.F.R. 464 (Effective 6-16-86)
50. Coil Coating	40 C.F.R. 465 (Effective 1-31-85)
51. Porcelain Enameling	40 C.F.R. 466 (Effective 9-6-85)
52. Aluminum Forming	40 C.F.R. 467 (Effective 2-9-89)
53. Copper Forming	40 C.F.R. 468 (Effective 6-20-86)
54. Electrical and Electronic Components	40 C.F.R. 469 (Effective 1-31-85)
55. NonFerrous Metals Forming and Metal Powders	40 C.F.R. 471 (Effective 4-4-89)

(f) Copies of the above effluent limitations as published in the United States Code of Federal Regulations may be obtained by writing the United States Environmental Protection Agency, Washington, D.C.

(g) All Department permits issued pursuant to Sections 403.087 and 403.088, F.S., shall, as a minimum, require compliance with the above referenced effluent limitations. In establishing the effluent limitations contained in paragraph 62-660.400(1)(e), F.A.C., which define best practical control technology currently available (BPT), best conventional pollutant control technology (BCT), and best available technology economically achievable (BAT), the United States EPA relied on the industry-wide information with respect to specific factors.

(h) In determining BPT, the following factors were considered:

1. Total costs of application of technology in relation to the effluent reduction benefits to be achieved from such application.
2. The age of equipment and facilities involved.
3. The process involved.
4. The engineering aspects of the application of various types of control techniques.
5. Process changes.
6. Non-water quality environmental impact (including energy requirements).
7. Such other factors as the Administrator deemed appropriate.

(i) The following factors were considered in determining BAT:

1. Age of equipment and facilities involved.
2. Process employed.
3. The engineering aspects of the application of various types of control techniques.
4. Process changes.
5. The cost of achieving such effluent reduction.
6. Non-water quality environmental impact (including energy requirements).
7. Such other factors as the Administrator of the EPA deemed appropriate.

(j) The following factors were considered in determining BCT:

1. Consideration of the reasonableness of the relationship between the costs of attaining a reduction in effluents and the effluent reduction benefits derived.
2. A comparison of the cost and level of reduction of such pollutants from the discharge from publicly owned treatment works to the cost and level of reduction of such pollutants from a class or category of industrial sources.
3. Age of equipment and facilities involved.
4. Process employed.
5. The engineering aspects of the application of various types of control techniques.
6. Process changes.
7. The cost of achieving such effluent reduction.
8. Non-water quality environmental impact (including energy requirements).
9. Such other factors as the Administrator of the EPA deemed appropriate.

(k) It is possible that the above factors pertaining to a particular source or category of sources located within the state are fundamentally different from the industrywide factors considered by the EPA in establishing the limitations. If, based on a preponderance of competent substantial evidence, the Department determines that such fundamentally different factors exist in relation to a particular source, it may establish for such source, by order or permit condition, and after notice and public hearing, an effluent limitation which is more or less stringent than the EPA effluent limitation, to the extent dictated by such fundamentally different factors. In no case shall a Department permit contain an effluent limitation less stringent than one contained in an NPDES

permit issued to a source by the EPA.

(l) All industrial sources which are included in those classes or categories of industry listed in paragraph 62-660.400(1)(e), F.A.C., shall comply with the applicable guidelines, standards and limitations in accordance with the time schedules contained therein. However, no source shall be relieved from complying with any pollution abatement plan or schedule, including a plant or process modification which is contained in any currently valid Department permit, or order or judicial judgment. However, this does not preclude modification of a Department permit, order, or judicial judgment in accordance with applicable rules and regulations.

(m) The effluent guidelines, standards, and limitations contained in paragraph 62-660.400(1)(e), F.A.C., represent minimum levels of treatment based upon available technology, and are not based on the quality of the waters which receive the industrial waste discharges. In accordance with Section 301(b)(1)(C) of the FWPCA, Section 403.088, F.S., and Chapter 62-650, F.A.C., more stringent effluent limitations may be required and applied by Department permits issued pursuant to Sections 403.087 and 403.088, F.S., in order to meet any applicable water quality standards.

(n) Minimum Treatment Requirements.

1. All sources of industrial waste reasonably expected to be sources of water pollution which are not contained in the classes or categories of sources contained in paragraph 62-660.400(1)(e), F.A.C., shall, as a minimum level of treatment, provide secondary waste treatment as required by Section 403.085, F.S. Such secondary treatment shall be applied against the total untreated waste produced by a given plant. For the purposes of this rule, "secondary treatment" shall be equivalent to "secondary treatment," as defined in subsection 62-600.420(1), F.A.C., and applicable to domestic waste (sewage) plants. A comparable degree of treatment for industrial waste not amenable to biological treatment will be determined and applied through the issuance of Department permits.

2. The minimum treatment requirement is unrelated to the quality of the water in the receiving water body. Under Chapter 62-650, F.A.C., more stringent limitations may be required and applied in order to meet and comply with any applicable water quality standards.

(o) Notwithstanding technology based effluent limitations contained in this section, industrial wastes discharged into ground waters shall receive treatment needed to comply with water quality standards contained in Chapter 62-520, F.A.C.

(p) All sources of industrial waste reasonably expected to be sources of pollution to Class G-II or G-IV waters, which are not contained in the classes or categories of sources contained in paragraph 62-660.400(1)(e), F.A.C., above, shall provide a minimum level of treatment such that the waste to be discharged does not affect the mechanical integrity of the well, does not jeopardize the integrity of the confining zone, and does not alter the hydrologic characteristics of the injection zone to the point of endangering underground sources of drinking water. The Department shall determine the level of pre-treatment required to maintain the water quality standards contained in Chapter 62-520, F.A.C., and to ensure that the operation is in compliance with the underground injection control requirements contained in Chapter 62-28, F.A.C. The pre-treatment level shall be set forth in the permit in accordance with Chapter 62-4, F.A.C.

(q) Discharges from steam electric generating plants existing or licensed by July 1, 1984, shall not be required to be treated to a greater extent than may be necessary to assure:

1. That the quality of nonthermal components of discharges from nonrecirculated cooling water systems is as high as the quality of the make-up waters, or

2. That the quality of nonthermal components of discharges from recirculated cooling water systems is no lower than is allowed for blowdown from such systems, or

3. That the quality of noncooling system discharges which receive make-up water from a receiving body of water that does not meet applicable Department water quality standards is as high as the quality of the receiving body of water.

(2) Effluent Limitations Based on Water Quality Considerations.

(a) Pursuant to Section 403.061(11), F.S., and as required by the Federal Water Quality Act of 1965, Public Law 89-234, 79 Stat. 903, and Section 303 of the FWPCA, the Department has adopted water quality standards contained in Chapter 62-3, F.A.C., which have subsequently been approved by the EPA. The standards contain water quality criteria which are applicable to each classification of receiving waters. Section 403.088(2)(b), F.S., requires the Department to deny an application for a permit if it finds that the proposed discharge will reduce the quality of the receiving waters below the classification established for them.

(b) Section 301(b)(1)(C) and Section 302 of the FWPCA provide that all discharges of industrial wastes may be required to meet, in addition to technology based effluent limitations, more stringent limitations required to implement applicable state water quality standards established pursuant to the Act. This requirement is enforced and implemented through Section 309 and the

National Pollutant Discharge Elimination System established by Section 402 of the Act.

(c) Pursuant to Sections 403.087 and 403.088, F.S., no wastes shall be discharged into waters of the state which will violate applicable state water quality standards or reduce the quality of the receiving waters below the criteria established for its respective classification contained in Chapter 62-3, F.A.C.

(d) The effluent limitations based on water quality standards shall be determined in accordance with Chapter 62-650, F.A.C., by application of accepted scientific methods based upon a consideration of the following:

1. The condition of the receiving body of water including present and future flow conditions and present and future sources of pollutants.

2. The nature, volume and frequency of the proposed discharge of waste including any possible synergistic effects with other pollutants which may be present in the receiving body of water.

Rulemaking Authority 403.051, 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805, 403.8055 FS. Law Implemented 403.021, 403.051, 403.061, 403.086, 403.087, 403.088, 403.091, 403.101, 403.121, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS. History–New 11-27-89, Amended 4-2-90, 4-22-93, Formerly 17-660.400, Amended 10-1-98, 12-2-03, 3-22-17.

62-660.801 General Permit for a Wastewater Disposal System for a Laundromat.

(1) General Requirements.

(a) This rule authorizes a general permit for any person constructing or operating a wastewater disposal system for a laundromat designed and operated in accordance with this rule, provided that all the conditions of this rule are met.

(b) This general permit shall be subject to the general conditions of Rule 62-4.540, F.A.C.

(c) The permittee shall complete and submit DEP Form 62-660.900(4), Laundromat General Permit Notification Form, effective 1-2-91, which is adopted and incorporated herein by reference, and required information 30 days before use of this general permit. This form may be obtained by contacting the appropriate district office or by writing the Department of Environmental Protection, Bureau of Water Facilities Planning and Regulation, 2600 Blair Stone Road, MS 3535, Tallahassee, Florida 32399-2400.

(d) Within 30 days after construction is complete, the engineer of record or another registered professional engineer shall certify to the Department, using DEP Form 62-660.900(2), Industrial Wastewater Facilities Certificate of Completion of Construction, that the permitted construction is complete and usable and that it was done in accordance with the plans submitted to the Department except when minor deviations were necessary. These deviations and the reasons for them shall be described in detail.

(e) There shall be no discharge of dry cleaning materials.

(f) This general permit does not relieve the permittee of the responsibility for obtaining any other permits required by the Department or any other federal, state, or local agency.

(g) The design volume of flow shall be less than 10,000 gallons per day. The design flow shall be determined by multiplying the maximum hourly rate by 12. The maximum hourly rate shall be based on the number of washing machines, the water used per cycle, and the maximum expected number of cycles per machine per hour.

(2) Treatment System Design Requirements. All design calculations and drawings shall be submitted with the notification form, DEP Form 62-660.900(4), Laundromat General Permit Notification Form. Either a trickling filter or a sand filter system shall be constructed using all of the components and the design criteria listed below. The chlorination and disposal system components and design criteria listed in subsections (3) and (4), of this rule, are required of all systems.

(a) Trickling filter systems shall include, at a minimum, the following components:

1. A screen chamber that contains at least four non-corrosive screens: two 1/4-inch screens followed by two 1/8-inch screens.

2. A primary settling tank that provides a minimum of four hours' detention based on the maximum hourly rate.

3. A sump pump with an effective capacity equal to, or greater than, the maximum hourly rate.

4. A recirculation pump that provides a minimum recirculation ratio of 2:1, and that is piped to provide continuous dosing of the filter 24 hours per day.

5. The following design criteria, if the trickling filter uses rock media:

a. Crushed rock, slag, or an inert manufactured material that will pass through a 3 1/2-inch square screen and that will be retained on a 2-inch screen.

b. A filter depth of at least 6 feet.

c. A hydraulic loading not to exceed 460 gallons per square foot per day.

d. An organic loading not to exceed 1.24 pounds of BOD per cubic yard per day.

6. The following design criteria, if the trickling filter uses plastic filter media:

a. A filter depth based on expected performance.

b. A hydraulic loading not to exceed 1840 gallons per square foot per day.

c. An organic loading not to exceed 5 pounds of BOD per cubic yard per day.

7. A distribution system, such as a reaction type distributor, to provide uniform application of waste influent over the filter.

8. Underdrains sloped to prevent ponding and designed to provide adequate ventilation to allow a free flow of air through the filter.

9. A secondary settling tank that provides a minimum detention of one hour at the maximum hourly rate.

(b) Open sand filter systems shall include, at a minimum, the following components:

1. A screen chamber that contains at least four non-corrosive screens: two 1/4-inch screens followed by two 1/8-inch screens.

2. A primary settling tank that provides a minimum detention of four hours based on the maximum hourly rate.

3. At least two filter beds, allowing alternate loading and resting of the beds, with a maximum filter loading of 4.5 gallons per day per square foot.

4. A gravel base, placed in three layers, each at least six inches thick, over the underdrains. Suggested gradings for the three layers are: 1 1/2-inch to 3/4-inch; 3/4-inch to 1/4-inch; and 1/4-inch to 1/8-inch. Underdrains shall be sloped to the outlet, and spaced 10 feet on center. Alternate thicknesses and gradings for the gravel base may be used, provided the gravel base adequately supports the filter material, prevents the sand from entering the underdrains, and provides uniform flow over the gravel base and underdrains.

5. At least 30 inches of clean sand placed over the gravel base. The effective size of the sand shall be between 0.31 and 0.45 millimeters and the uniformity coefficient shall not be greater than 3.5.

(3) Chlorination Requirements.

(a) A chlorination tank shall be provided, designed for a minimum thirty minute contact time.

(b) A chlorine residual of at least 0.5 mg/l shall be maintained at all times.

(4) Disposal System Requirements.

(a) The disposal of wastewater shall be to either an absorption field designed in accordance with Rule 62-610.550, F.A.C., or to a percolation pond designed in accordance with Rule 62-610.500, F.A.C. The design of the absorption field or percolation pond shall be based on the results of soil testing and mounding analysis as required in paragraphs (b) and (c), below.

(b) At a minimum, the following soil tests shall be conducted at the disposal site to simulate actual loading conditions during the design life of the absorption field or percolation pond and to determine the horizontal and vertical permeabilities of the underlying strata. These tests shall be conducted at a frequency of one test per 1000 square feet of disposal area.

1. Double-ring infiltrometer tests.

2. Soil borings to a depth of at least ten feet below the disposal site. Lithologic logs of each boring shall be provided, along with permeability test results from each distinct soil stratum encountered.

(c) Based on test results in paragraph (b), above, the applicant shall perform a mounding analysis as described in subparagraph 62-610.310(3)(c)8., F.A.C.

Rulemaking Authority 403.051, 403.814 FS. Law Implemented 120.55, 403.051, 403.061, 403.087, 403.088, 403.814 FS. History–New 11-27-89, Amended 1-2-91, 4-22-93, Formerly 17-660.801, Amended 12-24-96.

62-660.802 General Permit for a Pesticide Waste Degradation System.

Rulemaking Authority 403.051, 403.814 FS. Law Implemented 403.051, 403.061, 403.087, 403.088, 403.814 FS. History–New 11-27-89, Amended 4-2-90, 4-22-93, Formerly 17-660.802, Repealed 4-4-17.

62-660.803 General Permit for Car Wash Systems.

(1) Applicability.

(a) This rule authorizes a general permit for any person constructing or operating a car wash treatment, disposal, and recycle system, designed and operated in accordance with this rule, provided that all of the conditions of this rule are met.

(b) Any residential car wash, as defined below, discharging 4000 gallons or less of wastewater per week is exempt from the requirement to obtain this general permit or a Department industrial wastewater permit if all of the following requirements are met:

1. Wastewater is not discharged directly to surface waters or to ground waters through wells or sinkholes that allow direct

contact with Class G-I or Class G-II ground waters as defined in Chapter 62-520, F.A.C.,

2. Best management practices (BMPs) are implemented to minimize run-off from, or run-on to, the site,

3. The facility maintains a 100 foot setback from public drinking water wells and a 75 foot setback from private drinking water wells,

4. The car wash discharges into:

a. A percolation system that incorporates a grassed swale or infiltration area capable of treating both the wastewater and the first half-inch of runoff from the impervious surface set aside for the car wash. Grit, oil or grease shall be prevented from leaving the retention area, and any trapped solids and oils shall be disposed of in accordance with subsection 62-660.803(4), F.A.C., or

b. An existing, permitted, stormwater treatment system, if the discharge will not violate any condition of the stormwater permit,

5. The wash equipment incorporates a method to determine wash water flows such as a meter or a non-reset type counter or similar device which measures the number of cycles and a control timer or similar device which limits the time of each cycle,

6. A sign is posted which contains, at a minimum, the following language: "NO ENGINE OR OUTBOARD MOTOR CLEANING OR REPAIRING, NO OIL CHANGING OR DUMPING, NO COOLANT FLUSHING",

7. The owner of the facility notifies the Department in writing within 30 days of completion of construction that a car wash facility has been constructed pursuant to this exemption.

(c) Car washes that do not qualify for either a general permit or an exemption in accordance with this rule shall apply for an industrial wastewater permit or connect to a domestic wastewater treatment facility capable of treating the car wash wastewater.

(2) General Requirements.

(a) This general permit shall be subject to the general conditions of Rule 62-4.540, F.A.C.

(b) The permittee shall complete and submit DEP Form 62-660.900(5), Car Wash Recycle System General Permit Notification Form, effective 1-2-91, which is adopted and incorporated herein by reference, and required information 30 days before use of this general permit. This form may be obtained by contacting the appropriate district office or by writing the Department of Environmental Protection, Bureau of Water Facilities Planning and Regulation, 2600 Blair Stone Road, MS 3535, Tallahassee, Florida 32399-2400.

(c) Within 30 days after construction is complete, the engineer of record or another registered professional engineer shall certify to the Department, using DEP Form 62-620.910(12), Notification of Completion of Construction, that the permitted construction is complete and usable and that it was done in accordance with the plans submitted to the Department except when minor deviations were necessary. These deviations and the reasons for them shall be described in detail.

(d) This general permit does not relieve the permittee of the responsibility for obtaining any other permits required by the Department or any other federal, state, or local agency.

(3) Definitions. Terms used in this rule shall have the meaning specified below.

(a) "Residential car wash" shall mean any facility located in a single-family or multi-family housing development, which is designed specifically for the purpose of vehicle washing.

(b) "Rinse water" for car wash recycle systems means the treated or fresh water sprayed on the car after washing.

(c) "Rollover car wash" means a car wash where the vehicle remains stationary while the washing, rinsing, waxing, and drying equipment passes over the car.

(d) "Spent process water" for car wash recycle systems means the water contained in the system (tanks, pumps, and piping) that is no longer suitable for use, because of the long-term build-up of salts or other contaminants.

(e) "Tunnel car wash" means a car wash where the vehicle is pulled through a building by conveyor or other means, passing through separate washing, rinsing, waxing, and drying areas.

(f) "Wand car wash" means a self-service car wash where the vehicle remains stationary and the car is washed using a high pressure stream of water from a hand-held wand.

(g) "Wash water" for car wash recycle systems means the water containing detergent used to remove dirt from the car.

(4) Prohibitions.

(a) This general permit shall not be valid for truck wash facilities.

(b) No engine degreasing solvents shall be used at the facility.

(c) No oil or engine coolant or other solid wastes shall be disposed of at the facility.

(d) There shall be no discharge of wastewaters from the treatment, disposal, or recycle system to surface waters.

(5) Specific Requirements.

(a) Spent process water shall be disposed of at a Department – permitted wastewater treatment facility or a pre-treatment facility connected to a Department – permitted wastewater treatment facility.

(b) Solids from sedimentation tanks and used filter material shall be disposed of at a Class I or II landfill authorized by the Department to accept solid wastes under Chapter 62-701, F.A.C.

(c) Any waste oil collected from oil/water separators shall be disposed of by a licensed used oil recycler in accordance with Chapter 62-710, F.A.C.

(d) Wand or rollover car wash systems using this general permit shall install and use a total recycle system that recycles both wash water and rinse water with no discharge of wastewater to waters of the state.

(e) All facilities that provide wax, add drying agents or other additives, or have water softening equipment shall install a total recycle system that recycles both wash water and rinse water, with no discharge of wastewater to waters of the state.

(6) Design Requirements. The car wash recycle system shall be designed and operated to prevent discharge to ground water and surface water except as described in paragraph (g), below.

(a) An oil/water separator shall be installed.

(b) A chlorination system shall be installed if the facility is creating an objectionable odor as defined in Rule 62-296.200, F.A.C.

(c) Recycling equipment, such as sedimentation tanks, filtration units, and pumps, shall have adequate capacity to handle maximum hourly flows based on expected usage and the size of the facility.

(d) Recycling equipment shall be maintained in accordance with the manufacturers' recommendations to ensure proper operation.

(e) Overhangs or other devices shall be installed on buildings to prevent stormwater from entering the recycle system.

(f) Curbs around wash bays or tunnel entrances shall be installed or bays or tunnels shall be elevated to prevent stormwater from entering the recycle system.

(g) Partial Recycle Systems. A tunnel car wash or other car wash that separates wash and rinse water and recycles wash water may dispose of excess rinse water to an absorption field system, provided that the following conditions are met:

1. Only rinse water shall be disposed of in the absorption field system. Wash water is prohibited from disposal.

2. The discharge of rinse water shall not exceed 2000 gallons per day to the absorption field.

3. The rinse water shall be treated in a settling tank having a minimum detention time of 90 minutes based on the maximum discharge rate.

4. The absorption field shall be designed, sized, and installed in accordance with the technical standards and criteria for absorption fields contained in Chapter 64E-6, F.A.C.

Rulemaking Authority 403.051, 403.814 FS. Law Implemented 120.55, 403.051, 403.061, 403.087, 403.088, 403.814 FS. History–New 1-2-91, Amended 4-22-93, 5-19-94, Formerly 17-660.803, Amended 12-24-96.

62-660.804 General Permit for Sand and Limestone Mines.

(1) General Requirements. This rule authorizes a general permit for any person operating a sand or limestone mine designed and operated in accordance with this rule, provided that all of the conditions of this rule are met.

(2) Applicability and Coverage.

(a) Coverage under this general permit applies to existing sand and limestone mines which have coverage under this rule as of February 3, 2015.

(b) Coverage under this general permit will apply to sand and limestone (including shell and coquina) mines that do not hold a current Environmental Resource Permit (ERP) issued under Part IV of Chapter 373, F.S. Facilities which have coverage under a current Environmental Resource Permit issued under Part IV of Chapter 373, F.S. do not need to renew this general permit.

(3) General Provision.

(a) Coverage under this general permit shall be subject to the general conditions of Rule 62-4.540, F.A.C.

(b) An applicant for a sand or limestone mine general permit shall complete and submit to the Department DEP Form 62-660.900(6), Notification Form to Use the General Permit for Sand and Limestone Mines, effective February 3, 2015, which is adopted and incorporated herein by reference. This form may be obtained by contacting the appropriate district office, by writing the Department of Environmental Protection, Industrial Wastewater Program, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, from the Department's website or from [HYPERLINK

"http://www.flrules.org/Gateway/reference.asp?No=Ref-04888"]. The general permit will become effective 30 days after Department receipt of the notification form, unless the Department notifies the permittee that the project does not qualify for a general permit.

(c) This general permit does not relieve the permittee of the responsibility for obtaining any other permits required by the Department or any other federal, state, or local agency. This general permit is not a National Pollutant Discharge Elimination System (NPDES) permit.

(d) Coverage under this general permit is limited to a term not to exceed five years from the effective date of coverage.

(e) The permittee may request continued coverage under this general permit in accordance with the requirements contained in paragraph 62-660.804(3)(b), F.A.C., above. Request for continued coverage shall be made at least 30 days before expiration of the current coverage.

(f) The permittee is responsible for advising the Department within 30 days of any change in ownership, operator or contact information for the facility.

(4) Definitions. For the purpose of this permit, the following terms shall, unless the context clearly indicates otherwise, have the following meanings:

(a) "Heavy Minerals" shall be as defined in Section 378.403(7), F.S.

(b) "Limestone mine" means any mining operation in which the primary resource mined is composed principally of calcium or magnesium carbonate, which includes shell and coquina, along with the associated processing facility, water control system, and settling ponds.

(c) "Pollution" shall be as defined in Section 403.031, F.S.

(d) "Sand mine" means an area of land from which sand (excluding heavy minerals) is being mined, along with the associated processing facility, water control system, and settling ponds.

(5) Information Requirements.

(a) The permittee shall submit the information as outlined in Department DEP Form 62-660.900(6), Notification Form to Use the General Permit for Sand and Limestone Mines, effective, February 3, 2015.

(b) A Best Management Practices (BMP) Plan shall be developed and implemented for the facility. The BMP Plan shall include elements designed to prevent or minimize the potential for the release of pollution to waters of the state from ancillary activities. Ancillary activities may include material storage areas, plant site runoff, in-plant transfer, process and material handling areas, and loading and unloading operations through plant site runoff, spillage or leaks, or drainage from raw material storage. The BMP Plan shall be subject to the following requirements:

1. The applicant shall maintain the BMP Plan at the facility and shall make the plan available to the Department upon request.

2. The BMP Plan shall be maintained in written form, and shall include any necessary site plans, drawings, or maps. The BMP Plan shall be prepared and certified by a professional engineer registered in the State of Florida and shall be reviewed by the facility staff.

3. The BMP Plan shall identify areas, systems or components of the facility that have a potential for causing a release of pollution to waters of the state, due to equipment failure, improper operation, or natural phenomena such as extreme rain or winds.

4. The plan shall include a prediction of the direction, rate of flow, and total quantity of pollution which could be discharged from the facility as a result of equipment failure, improper operation, or natural phenomena such as extreme rain or winds.

5. The BMP Plan shall establish specific preventive and remedial procedures to prevent pollution from reaching waters of the state in amounts which will cause a violation of water quality standards.

6. The BMP Plan shall be revised as necessary whenever there is a change at the facility which increases the potential for the release of pollution to waters of the state.

7. The facility shall be reasonably maintained to prevent entry of unauthorized personnel.

8. The facility is not required to prepare a separate BMP if all of the requirements of the BMP Plan are addressed within a Stormwater Pollution Prevention Plan (SWPPP) prepared under subsection 62-621.300(5), F.A.C.

(6) Design Requirements. A professional engineer registered in the State of Florida shall certify the following:

(a) All earthen dams storing process wastewater and runoff above grade shall be constructed and maintained in accordance with good engineering practices.

(b) The sand or limestone mine is designed to recycle process wastewater and contain process wastewater and runoff from storm events up to a 25-year, 24-hour storm or equivalent event.

(7) Operational Requirements.

(a) There shall be no discharge from storage ponds except as a result of storms exceeding a 25-year, 24-hour storm or equivalent event.

(b) No chemicals, except water conditioners, pH adjusters and chemicals which have been demonstrated as to not adversely affect human health or aquatic life shall be added to the process water used for transporting, washing or processing of the sand or limestone. Records of all chemicals used (including dosage rates) by the facility must be kept and made available for inspection to the Department upon request.

Rulemaking Authority 403.051, 403.814 FS. Law Implemented 120.55, 403.051, 403.061, 403.087, 403.814 FS. History–New 1-2-91, Amended 4-22-93, Formerly 17-660.804, Amended 12-24-96, 2-3-15.

62-660.805 General Permit for Disposal of Tomato Wash Water.

(1) General Requirements.

(a) This rule authorizes a general permit for any person constructing or operating a treatment and disposal system for wash water from the packaging of fresh market tomatoes with a wash tank discharging between 5,000 and 50,000 gallons per day, provided that all of the conditions of this rule are met.

(b) Any tomato wash water disposal system with a wash tank discharging less than 5,000 gallons per day is exempt from the requirement to obtain a Department industrial wastewater permit if:

1. The disposal of the systems wash water does not cause a violation of any Department standard for surface or ground water quality; and,

2. Wash water is not discharged directly to surface waters or to ground waters through wells or sinkholes that allow direct contact with Class G-I or Class G-II ground waters.

(c) Tomato wash water disposal systems discharging greater than 50,000 gallons per day, or systems not otherwise complying with the requirements of this rule, must obtain a standard Department industrial wastewater discharge permit.

(d) Tomato wash water disposal systems that discharge to publicly or privately owned wastewater treatment facilities permitted by the Department are exempt from Department industrial wastewater permitting and the requirements of this rule.

(e) This general permit shall be subject to the general conditions of Rule 62-4.540, F.A.C.

(f) The permittee shall complete and submit DEP Form 62-660.900(7), Tomato Wash Water Disposal General Permit Notification Form, effective 1-8-92, which is adopted and incorporated herein by reference, and the information required by that form 30 days before use of this general permit. This form may be obtained by contacting the appropriate district office or by writing the Department of Environmental Protection, Bureau of Water Facilities Planning and Regulation, 2600 Blair Stone Road, MS 3535, Tallahassee, Florida 32399-2400.

(g) Within 30 days after construction is complete, the engineer of record or another registered professional engineer shall certify to the Department, using DEP Form 62-660.900(2), Industrial Wastewater Facilities Certificate of Completion of Construction, that the permitted construction is complete and usable and was done in accordance with the plans submitted to the Department except when minor deviations were necessary because of site-specific conditions. These deviations and the reasons for them shall be described in detail.

(h) This general permit does not relieve the permittee of the responsibility for obtaining any other permits required by the Department or any other federal, state, or local agency.

(2) Definitions. Terms used in this rule shall have the meaning specified below.

(a) "Cull tomatoes" means tomatoes that are removed from the packaging process because of damage or other reasons that make the tomatoes unsuitable for packaging.

(b) "Land application site" means an area of land used for treatment and disposal of wastewater by spray irrigation at predetermined rates necessary to prevent degradation of ground and surface waters.

(c) "Shallow water supply well" means any potable water well which pumps water from an unconfined water table aquifer.

(d) "Wash water" means the water used to clean and transport tomatoes before packaging.

(e) "Wash tank" means a tank used to collect and hold wash water.

(3) Prohibitions.

(a) This general permit shall not be valid for tomato canning facilities.

(b) Runoff from the land application site to surface waters of the state is prohibited from all storm events up to and including a

10-year, 1-hour storm event.

(4) Pre-treatment Design and Operation Requirements.

(a) Tomato wash water disposal systems shall include a screening system or a sedimentation system that filters out leaves, twigs, and other floating objects to prevent clogging of the spray nozzles.

(b) The permittee shall dispose of solids from the screening or sedimentation systems with cull tomatoes or in an approved landfill or solid waste management facility.

(5) Land Application Site Design Requirements.

(a) The hydraulic loading rate of the land application site shall be no more than 0.66 inches per day. The hydraulic loading rate shall not cause toxicity to the cover crop.

(b) At the land application site there shall be a minimum unsaturated depth to the water table of 18 inches during the operational season as determined by soil surveys or by a Professional Engineer or Professional Geologist. If there is not a minimum unsaturated depth of 18 inches, percolation tests shall be conducted at the site to assure that the proposed hydraulic loading rate will not cause ponding and that aerobic conditions will be maintained in the grass cover crop root zone.

(c) A minimum setback distance of ten feet shall be maintained between the wetted perimeter and the permittee's property boundary.

(d) The wetted perimeter shall not be located within 100 feet of shallow water supply wells or Class I surface waters.

(e) The land application site shall be graded and bermed as necessary to prevent runoff of stormwater resulting from all storm events up to and including a 10-year, 1-hour storm event.

(f) A minimum of ten spray nozzles shall be used per wetted acre of land. Spray nozzles shall be designed to promote volatilization of the wash water and to minimize spray drift off the land application site.

(6) Land Application Site Operation and Maintenance Requirements.

(a) A cover crop of grass shall be maintained at the land application site to aid in maintaining aerobic conditions, promoting the decomposition of waste, and maintaining infiltration rates. The grass cover crop shall be mowed regularly during the operating season to prevent matting of the grass.

(b) The land application site shall be operated to prevent ponding of the spray wash water.

(c) Routine maintenance of spray heads, risers, or other distribution equipment shall be performed as needed to ensure optimal operation.

(7) Record Keeping. The permittee shall keep records of the number of days and the dates of operation of the land application site each year, the volume of wash water disposed of each day, and the amount of tomatoes (in boxes, pounds, or tons) processed each week. The records shall be kept for five years and made available to the Department upon request.

Rulemaking Authority 403.051, 403.814 FS. Law Implemented 120.55, 403.051, 403.061, 403.087, 403.814 FS. History–New 1-8-92, Formerly 17-660.805, Amended 12-24-96.

62-660.806 General Permit for Disposal of Fresh Citrus Fruit Wash Water.

(1) General Requirements, Conditions and Applicability.

(a) This rule authorizes a general permit for any person constructing or operating a wastewater treatment and sprayfield land application effluent disposal system for wash water from fresh citrus fruit packinghouses as defined in paragraph 62-660.806(2)(c), F.A.C. This general permit applies to facilities that generate more than 5,000 gallons per day of wash water during the operating season, provided that all of the conditions of this rule are met. Ground water monitoring shall not be required for facilities covered under this rule.

(b) Any facility generating less than 5,000 gallons per day during the operating season is exempt from the requirement to obtain this General Permit or a Department industrial wastewater permit if all of the following requirements are met:

1. Wastewater is not discharged directly to surface waters or to ground waters through wells or sinkholes that allow direct contact with Class G-I, F-1 or G-II ground waters as defined in Chapter 62-520, F.A.C.,

2. The disposal of the facility's wastewater does not cause or contribute to a violation of surface water and/or ground water quality standards,

3. There is a 100-foot setback between the wetted perimeter and the facility's property boundary,

4. Best Management Practices (BMPs) are implemented to minimize ponding or runoff from the land application site and ensure proper maintenance of the sprayfield,

5. Records are maintained in accordance with subsection 62-660.806(6), F.A.C.

(c) This general permit is not applicable to fresh citrus packinghouses engaged in other auxiliary operations such as citrus juicing that commingle their waste streams with wash water. Facilities that utilize percolation ponds, other types of land application disposal, or a sprayfield type of land application not otherwise complying with the requirements of this rule, are not covered by this general permit. These facilities shall:

1. Obtain an individual wastewater permit in compliance with Chapter 62-620, F.A.C.,

2. Obtain a "Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds" in accordance with subsection 62-621.500(1), F.A.C.,

3. Meet the provisions of paragraph 62-660.806(1)(b), F.A.C., or

4. Obtain an exemption from permitting pursuant to Rule 62-4.040, F.A.C.

(d) Facilities that discharge to a Department approved domestic wastewater collection system are not required to obtain an industrial wastewater permit and are not subject to the requirements of this rule. Refer to Chapter 62-604, F.A.C., Collection Systems and Transmission Facilities, for the need to obtain a permit under that chapter.

(e) This general permit does not relieve the permittee of the responsibility for obtaining any other permits required by the Department or any federal, state, local agency, or authority.

(f) This general permit shall be subject to the general conditions of Rule 62-4.540, F.A.C.

(g) The permittee shall complete and submit DEP Form 62-660.806(1)(g), Notification Form To Use General Permit For Land Application of Fresh Citrus Packinghouse Wash Water Effluent, effective May 10, 2005, which is adopted and incorporated herein by reference, and the information required by that form 30 days before use of this general permit. Form 62-660.806(1)(g) shall be signed and sealed by a professional engineer registered in the State of Florida in accordance with Chapter 471, F.S. This form may be obtained by contacting either the local Department District Office, by writing the Department of Environmental Protection, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or from the Department's website.

(h) Within 30 days after construction of a new facility being complete, the engineer of record or another registered Professional Engineer shall certify to the Department, using DEP Form 62-620.910(12), Industrial Wastewater Facilities Certificate of Completion of Construction, that the permitted construction is complete and usable and was done in accordance with the plans submitted to the Department except when minor deviations were necessary. These deviations and the reasons for them shall be described in detail.

(2) Definitions. Terms used in this rule shall have the meaning specified below:

(a) "Cull fruit" means citrus fruit that is removed from the packaging process because of damage or other reasons that make the citrus fruit unsuitable for packaging.

(b) "Existing fresh citrus fruit packinghouse" or "existing facility" means a packinghouse which was in operation on or before May 10, 2005.

(c) "Fresh citrus fruit packinghouse" or "facility" means a facility whose primary purpose is to wash, disinfect, sort, and package fresh citrus fruit and is assigned Standard Industrial Classification (SIC) Code 0723.

(d) "Land application site" means an area of land used for treatment and disposal of wash water and solids.

(e) "New fresh citrus fruit packinghouse" or "new facility" means a packinghouse which was constructed or placed into operation after May 10, 2005, or to an existing facility to which a substantial modification was made after May 10, 2005.

(f) "Operating season" is the period of operation for citrus packinghouse facilities.

(g) "Percolation pond" means an impoundment, either above or below the natural land surface that is designed to percolate wash water.

(h) "Private drinking water supply well" means a well serving private or multifamily water systems as defined in Rule 62-532.200, F.A.C.

(i) "Public drinking water supply well" means a well serving a public water system as defined in Rule 62-550.200, F.A.C.

(j) "Solids" means leaves, twigs and other objects.

(k) "Sprayfield" means a land application site where spray irrigation of a grass cover crop or a citrus grove is utilized for treatment and disposal of wash water at predetermined application rates necessary to prevent degradation of surface water and groundwater.

(l) "Wash water" means the water used to wash, disinfect, and apply a protective wax to fresh citrus fruit before packaging.

(3) Prohibitions.

(a) Discharge from any land application site to surface waters of the state is not authorized by this permit.

(b) Discharge from any land application site shall not cause or contribute to a violation of surface water and/or ground water quality standards.

(c) No discharge of wastes or wastewater other than wash water generated by the operations defined as fresh citrus fruit packinghouses in paragraph 62-660.806(2)(c), F.A.C., shall be disposed of in sprayfields authorized by this permit. This prohibition includes, but is not limited to, stormwater, sanitary wastewater generated by employees of the facility, wastewater generated by washing or maintaining mobile equipment, or wastewater generated by ancillary operations.

(4) Solids Management.

(a) The permittee shall dispose of solids from the screening or sedimentation system with cull fruit in an approved landfill or solid waste facility. Alternatively, the permittee may apply solids to a land application site in accordance with subsection 62-660.806(5), F.A.C., below.

(b) Culled fruit shall be managed in such a manner that no contact stormwater shall be produced or discharged to the disposal system or waters of the State.

(5) Design and Operation Requirements.

(a) The hydraulic loading rate of the land application site shall be no more than 2.00 inches per week during the period of operation. The hydraulic loading rate shall not cause toxicity to the cover crop or have adverse impacts on the soil so as not to sustain a cover crop.

(b) The land application site shall be operated to prevent ponding or runoff.

(c) When the sprayfield land application site is in use, there shall be a minimum unsaturated depth to the seasonal high water table of 18 inches as determined by soil surveys and by a Professional Engineer or Professional Geologist. If there is not a minimum unsaturated depth of 18 inches, percolation tests shall be conducted at the site to assure that the proposed hydraulic loading rate will not cause ponding and that aerobic conditions will be maintained in the root zone. Results from the percolation tests shall be kept in accordance with subsection 62-660.806(6), F.A.C., below and provided to the Department upon request for coverage under this General Permit.

(d) A minimum storage capacity shall be provided to assure the retention of the wastewater under adverse weather conditions, harvesting conditions, maintenance of irrigation equipment, or other conditions that preclude land application. Storage capacity can be achieved through tanks or lined ponds. If the storage volume is not provided, the facility shall be capable of ceasing operation during wet weather. Application of wash water may continue during periods of rainfall provided all other conditions in subsection 62-660.806(5), F.A.C., are met. However, should ponding or runoff occur, the permittee shall cease operations or store wash water in tanks or lined ponds for land application during subsequent dry periods.

(e) All sprayfield land application sites shall maintain a minimum setback distance of 100 feet between the wetted perimeter and the property line.

(f) A minimum setback distance of 500 feet shall be maintained between the wetted perimeter and public drinking water supply wells existing prior to the date of initial coverage under this permit. In addition a minimum setback distance of 500 feet shall be maintained between the wetted perimeter and Class I & II surface waters.

(g) New facilities shall maintain a minimum setback distance of 75 feet between the wetted perimeter and private drinking water supply wells existing prior to the date of initial coverage under this permit.

(h) All land application sites shall be graded and bermed, as necessary, to prevent runoff of storm water resulting from all storm events up to and including a 10-year, 24-hour storm event.

(i) Spray nozzles shall be designed to provide uniform distribution of the wash water and to minimize spray drift off the land application site.

(j) The cover crop of grass or citrus fruit shall be sufficient to aid in maintaining aerobic conditions and infiltration rates, promoting plant uptake of nutrients, and providing for evapotranspirative consumption.

(k) Routine maintenance of spray heads, risers, or other distribution equipment shall be performed as needed to ensure optimal operation.

(l) The screening system or sedimentation system shall be designed and operated to filter out solids.

(m) The collection sewer and sump shall be designed and operated to prevent overflows.

(6) Recordkeeping.

(a) The permittee shall keep records of the number of days and the dates of operation of the land application site each year, the volume of wash water disposed of each week, and the amount of citrus fruit (in boxes, pounds, or tons) processed each week.

(b) The permittee shall keep records of the maintenance performed to ensure proper operation of the sprayfield, including at a minimum those in paragraph 62-660.806(5)(k), F.A.C., above.

(c) The permittee shall keep records of solids land applied on-site or transferred to other persons. The record shall include the approximate amount of solids applied on-site, or in case of transfers, recipient's name and address, and location of disposal, if known.

(d) The records shall be kept for five years and made available to the Department upon request.

(7) Duty to Request Continued Coverage.

(a) Coverage under this general permit is limited to a term not to exceed five years from the effective date of coverage.

(b) The permittee may request continued coverage under this general permit in accordance with the requirements contained in paragraph 62-660.806(1)(g), F.A.C., above. Request for continued coverage shall be made at least 30 days before expiration of the current coverage.

Rulemaking Authority 403.051, 403.814 FS. Law Implemented 120.55, 403.051, 403.061, 403.087, 403.088, 403.814 FS. History–New 5-10-05.

62-660.820 General Permit for Fish Farms.

Rulemaking Authority 403.051, 403.0877, 403.814 FS. Law Implemented 120.55, 403.051, 403.0877, 403.814 FS. History–New 4-30-92, Amended 4-14-94, Formerly 17-660.820, Amended 12-24-96, Repealed 2-16-12.

62-660.821 General Permit for Marine Bivalve Facilities.

Rulemaking Authority 403.051, 403.0877, 403.814 FS. Law Implemented 120.55, 403.051, 403.0877, 403.814 FS. History–New 3-8-93, Formerly 17-660.821, Amended 12-24-96, Repealed 2-16-12.